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Attorneys for Defendant  
LEXINGTON INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JACK DUDUM AS TRUSTEE OF THE  
JACK AND SYLVIA DUDUM 1997  
TRUST,

Plaintiff,

v.

NATIONWIDE MUTUAL INSURANCE  
COMPANY; CR ENGLAND, INC.; and  
DOES 1-25, inclusive,

Defendants.

CASE NO. 4:15-CV-00912 (JSW)

Hon. Jeffrey S. White

**STIPULATION AND ~~PROPOSED~~  
ORDER FOR DISMISSAL OF ALL  
CLAIMS WITH PREJUDICE AND  
WITHOUT COSTS**

**[FED. RULE CIV. PROC. 41(A)(1)]**

Action Filed: July 17, 2014

Trial Date: None Set

Pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1), the Parties to the  
above-entitled action, by and through their counsel of record, hereby stipulate that the  
above-entitled action brought by Plaintiff, JACK DUDUM AS TRUSTEE OF THE

JACK AND SYLVIA DUDUM 1997 TRUST shall be dismissed, with prejudice, as to Defendant LEXINGTON INSURANCE COMPANY, and that any and all claims and counterclaims in the above-entitled action by and between Plaintiff and Defendant, Lexington Insurance Company, arising out of the subject matter of the above-entitled action, whether or not asserted in this matter, may now be dismissed, with prejudice, and each Party is to bear its own costs and attorneys' fees.

DATED: February 11, 2016

LAW OFFICES OF PAUL B. JUSTI

By: /s/ Paul B. Justi  
Paul B. Justi  
Attorney for Plaintiff  
JACK DUDUM AS TRUSTEE OF THE  
JACK AND SYLVIA DUDUM 1997 TRUST

DATED: February 12, 2016

CLAUSEN MILLER P.C.

By: /s/ Michael W. Goodin  
Michael W. Goodin  
Attorney for Defendant  
LEXINGTON INSURANCE COMPANY

**E-FILING ATTESTATION**

I, Michael W. Goodin, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5.1(i)(3), I hereby attest that each of the signatories identified above have concurred in this filing.

By: /s/ Michael W. Goodin

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**~~PROPOSED~~ ORDER**

Pursuant to the stipulation of the Parties, the above-entitled action brought by Plaintiff, JACK DUDUM AS TRUSTEE OF THE JACK AND SYLVIA DUDUM 1997 TRUST is dismissed with prejudice, as to Defendant LEXINGTON INSURANCE COMPANY, and any and all claims and counterclaims in the above-entitled action by and between Plaintiff and Defendant, Lexington Insurance Company, arising out of the subject matter of the above-entitled action, whether or not asserted in this matter, are dismissed, with prejudice, and each Party will bear its own costs and attorneys' fees.

IT IS SO ORDERED.

DATED: February 12, 2016

By

  
The Honorable Jeffrey S. White  
United States District Judge